

RESOLVE Chapter 139, LD 1794, 125th Maine State Legislature:  
Resolve, Regarding Legislative Review of Portions of Chapter 378: Variance Criteria for the  
Excavation of Rock, Borrow, Topsoil, Clay or Silt and Performance Standards for the Storage of  
Petroleum Products, a Major Substantive Rule of the Department of Environmental Protection

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

**Resolve, Regarding Legislative Review of Portions of Chapter 378:  
Variance Criteria for the Excavation of Rock, Borrow, Topsoil, Clay or  
Silt and Performance Standards for the Storage of Petroleum Products,  
a Major Substantive Rule of the Department of Environmental Protection**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1 Adoption. Resolved:** That final adoption of portions of Chapter 378: Variance Criteria for the Excavation of Rock, Borrow, Topsoil, Clay or Silt and Performance Standards for the Storage of Petroleum Products, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

